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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/007,318	11/05/2001	Barry Friedman	67093-001	2502

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EXAMINER

NGUYEN, MINH CHAU

ART UNIT PAPER NUMBER

2145

DATE MAILED: 01/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/007,318

Applicant(s)

FRIEDMAN, BARRY

Examiner

MINH-CHAU N. NGUYEN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 November 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a) because they fail to show "task reports 209", "members of teams 207" (page 16); "custom toolbar 203 with special buttons that provide six links to a sponsors web page 205" (page 17); "a refer associate button 220", "unsubscribe button 222", "a management system 240", "basic background system 242" (page 20); "the second section 244", "a sponsor registration 246 and payment information form 248 (Figure 14)", "a record edit form 250, a default list of categories for the system 254 (Figure 15)", "a logo or gif 256 and a system for uploading sponsor client prospect information 258", "a sponsor management system 260", "a module for content development 262", "an advertising management system 270" (page 21); and "a resource management system 280" (page 22) as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency.

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Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

1. Claim 6 is objected to because of the following informalities: "a the legal profession" is vague and unclear. Either "a" or "the", cannot be both. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1, 2, 4, 5 recite the limitation "the desires", "the content", "the input of the sponsor", and "the accounting profession" in line 6, 10, 17 page 23; and line 4 page 24. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-4 are rejected under 35 U.S.C. 102(e) as being anticipated by Kloba et al. (Kloba) (US 6,553,412).

4. Regarding claim 1, Kloba teaches a system for creating, editing and managing a communication between a prospective employer and prospective employee comprising:

a control unit for establishing a newsletter communication (Col. 7, L. 30-34; and Col. 8, L. 10-14; and Col. 15, L. 48-53);

means for assisting an end user in formulating a newsletter request based upon the desires of the end user (ie. user selects/requests a channel, the content of the selected channel is presented to user. Moreover, user surfs to a web site and user also wants to create a channel, this web site automatically added to the user's desired channel) (Col. 15, L. 48-62; and Col. 26, L. 32-38; and Col. 26, L. 59 – Col. 27, L. 3);

means for distributing the newsletter (Col. 5, L. 5-6).

5. Regarding claim 2, Kloba teaches the system of claim 1 further comprising means for defining tasks by the end user based upon the content of the newsletter (Col. 34, L. 11-15 and L. 28-33).

6. Regarding claim 3, Kloba teaches the system of claim 1 further comprising means for adding advertising to the newsletter (Col. 7, L. 30-34; and Col. 18, L. 7-11).

7. Regarding claim 4, Kloba teaches a system for creating, editing and managing email newsletter communications in a specialty area between a sponsor and an end user:

a control unit for generating a newsletter based upon the inputs of the sponsor, said newsletter providing a plurality of content items (Col. 8, L. 15-23; and Col. 12, L. 45-54);

means for emailing the newsletter to the end user (Col. 8, L. 10-12; and Col. 14, L. 44-47 and L. 51-53);

means for permitting the end user to define new types of content the end user desires to receive (Col. 29, L. 39-66);

means for the end user to define tasks within the system based upon the content of the newsletter (Col. 34, L. 11-15 and L. 28-33); and

means for the end user to invite other end users to receive the newsletter (Col. 33, L. 35-39).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 5, 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kloba et al. (Kloba) (US 6,553,412) and Sprague et al. (Sprague) (5,247,575).

9. Regarding claim 5, Kloba fails to teach the channels which includes accounting channel. However, Kloba teaches the channels can be personal channels or commercial channels (Col. 5, L. 5-6). Thus, it can be interpreted as the commercial channels may include accounting channel, such suggestion would motivate one ordinary skilled in the art to seek a practical and effective way of doing so. Sprague teaches the system of claim 5 wherein the specialty area comprises the accounting profession (Col. 11, L. 28-44).

Thus, it would have been obvious to one of ordinary skill in the art the time the invention was made to have incorporated the accounting channel, as suggested by Sprague, in system, method and computer program product for web content aggregation and development; and web content delivery to clients of Kloba, in which the user's information stored by the system remains secure against unauthorized use and unlawful copying.

10. Regarding claim 6, Kloba fails to teach the channels which includes legal channel. However, Kloba teaches the channels can be personal channels or commercial channels (Col. 5, L. 5-6). Thus, it can be interpreted as the commercial channels may include legal channel, such suggestion would motivate one ordinary skilled in the art to seek a practical and effective way of doing so. Sprague teaches the

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system of claim 6 wherein the specialty area comprises the legal profession (Col. 10, L. 2-6).

Thus, it would have been obvious to one of ordinary skill in the art the time the invention was made to have incorporated the legal channel, as suggested by Sprague, in system, method and computer program product for web content aggregation and development; and web content delivery to clients of Kloba, in which the user's information stored by the system remains secure against unauthorized use and unlawful copying.

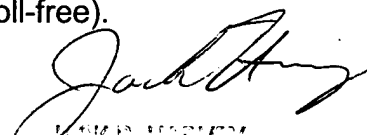
Any inquiry concerning this communication or earlier communications from the examiner should be directed to MINH-CHAU N. NGUYEN whose telephone number is (571) 272-4242. The examiner can normally be reached on Monday-Friday from 8:00am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JACK B. HARVEY can be reached on (571) 272-3896. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Examiner: Minh-Chau Nguyen
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DAVID HARVEY
SUPERVISOR/PAIR EXAMINER

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